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CHAPTER IV

THE SOCIAL STATUS OF THE SLAVE

As many of the slave regulations were enacted to deal with extreme cases and some of them were not generally enforced, it is necessary to consider also the social status of the blacks to determine exactly what the institution was in Kentucky. In this commonwealth slavery was decidedly patriarchal. The slave was not such an unfortunate creature as some have pictured him. He usually had set apart for himself and his family a house which was located near the master's mansion. While this home may have been a rude cabin made of small logs, with a roof covered with splits and an earthen floor, likely as not the master's son was attending school a few weeks in the year in a neighboring log cabin which boasted of no more luxuries than the humble slave dwelling. The servant and his family were well fed and had plenty of domestic cloth for all necessary wearing apparel.

The kind of clothing which the Kentucky slave had can be seen best by a study of the runaway slave advertisements where a description of apparel was often essential to the apprehension of the Negro. "Billy" in 1803 ran away from his owner in Lexington and took such a variety of clothing with him that the master was unable to give a description of them.¹ "Jack," running away from his owner in Mercer County, had on when he left and took with him "one pale blue jeans coat, one gray jeans coat, and an old linsey coat; one pair of cloth pantaloons, one pair of jeans, and one of linen."² "Thenton," when leaving his master in Warren County, took with him "a new black smooth fur hat, a yellow woollen jeans frock coat, more than half worn; three

¹ *Lexington Gazette*, August 23, 1803.

² *Louisville Public Advertiser*, July 10, 1824.

shirts, two of coarse cotton and one entirely new, the third a bleached domestic and new; one blanket; one pair of pantaloons, of cotton and flax.”³ “Jarret,” from Leitchfield, wore when he left “a smooth black Russia hat” and took with him “a pair of buckskin saddle bags . . . and a great deal of clothing, to wit: one brown jeans frock coat, and pantaloons of the same; also, a brown jeans overcoat, with large pockets in the side; a new dark colored overcoat, two pair blue cloth pantaloons, and an old silver watch.”⁴ The clothing of “Esau,” from Meade County, was described as “brown jeans pants, black cassinet pants, blue cloth pants, three fine shirts, one black silk vest and one green vest, one brown jeans frock coat, one pale blue coat, velvet collar; coarse shoes and black hat.”⁵ “Stewart” left his master in Bullitt County dressed in typical Negro attire—“a black luster coat, made sack fashion, and a pair of snuff colored cassinet pantaloons; also, a black fur hat with low crown and broad brim, and vest with purple dots on it.”⁶ “George,” living in Marion County, had an outfit of “Brown jeans frock coat (skirt lined with home-made flannel dyed with madder), a pair of new black and yellow twilled negro jeans pantaloons, white socks, factory shirt with linen bosom, and black wool hat.”⁷ An owner advertising in 1852 stated that his slave “Andy” had three suits of clothes with him when he ran away.⁸ It is perfectly evident from the reading of these slave advertisements that the male Negroes were as substantially clothed as any members of their race could expect to be at that time even in a state of freedom. The surplus clothing as described above was all a part of the slave’s own property and not taken from the master’s wardrobe. There were many cases of theft but they need not be considered in this discussion.

A large majority of all runaway slaves were men and

³ *Louisville Weekly Journal*, October 15, 1845.

⁴ *Ibid.*, October 22, 1845.

⁵ *Ibid.*, September 27, 1848.

⁶ *Ibid.*, May 16, 1849.

⁷ *Ibid.*, December 10, 1851.

⁸ *Ibid.*, December 22, 1852.

even when advertisements dealt with female fugitives it was only on rare occasions that the owner attempted to give a description of the clothing which was worn. Will Morton in 1806 gave a list of "Letty's" clothing as "two or three white muslin dresses, one of fancy chintz, salmon colored linsey petticoat, white yarn stockings, and good shoes, with sundry other clothing of good quality."⁹ At such an early date in the history of Kentucky slavery the apparel of this young slave woman compares very favorably with that which was worn by the white people.

In sickness the slaves were cared for by the same physician who looked after the master and his family and should occasion demand assistance any member of the owner's household might be found nursing a sick Negro. There was no limit to the supply of fuel for the winter, for the slaves had the right to cut timber for their own use anywhere in the woods of the estate.¹⁰

As in Virginia, the slave was permitted to have a little "truck-patch" of half an acre or more, where he could raise any crop that he desired. In Kentucky these small plots of ground were nearly always filled with sweet potatoes, tobacco and watermelons. The soil was not only conducive to their cultivation but they were the three favorite agricultural products for personal consumption. These particular crops needed little cultivation once they were planted and such as was necessary could easily be done on Saturday afternoons, when the slave was at leisure.

Historians have reminded us that in most of the Southern States there was a tendency for the more energetic of the slaves to work for pay during their idle hours and thus eventually secure a sufficient surplus to buy their own freedom. In Kentucky such cases were very rare. Most Negroes seem to have been content with their condition in such bondage as existed in the State. There were many cases in which a Negro refused to purchase his freedom

⁹ *Lexington Gazette*, April 12, 1806.

¹⁰ The best contemporary treatment of this subject in general is by Dr. R. J. Spurr—the sole printed text being in Perrin's *History of Bourbon County*, pp. 59–60.

although he had the necessary amount of money. George Brown, the famous Negro author of *Recollections of an Ex-slave*, published in the *Winchester Democrat*, has given us some experiences which testify to the feeling existing between master and slave. In 1857 his mistress was offered \$2,100 for George, but when talking the matter over with him she found that he had serious objections to the prospective purchaser. She showed an interest in Brown's welfare by refusing to sell him. In later years when freedom was within his grasp for the asking, Brown "bought himself" for \$1,000 because, as he says in his own words, it was not honorable for him to "swindle his young mistress out of her slave." Such was the example of a Kentucky slave who purchased his own freedom, not for his own benefit, but for that of his mistress.

Another factor entered into this question. In the later years, once a slave secured his liberty, he was immediately required to leave the State and if such a one had lived all his life in Kentucky, he would naturally hesitate to depart into an unknown region. Many of the slaves did earn considerable money by cobbling shoes, cutting wood, and making brooms, but most of them showed little tendency to save their earnings for any future deliverance from bondage. They were more concerned then—as they often are even yet—with the pleasures of the day. More often they were to be found wasting their spare change on whisky, a problem which grew greater for the master with passing years.

In addition to the regular Saturday afternoon and Sunday off every week the slaves were given several other holidays throughout the year, the most extensive being at Christmas time. At Easter they were allowed two or three days rest and when an election was being held there was no work done outside of the regular chores. The general election day in those times was the first Monday in August and it was the custom for most of the slaves throughout the "penny-royal" and "bluegrass" to journey to the county seat, where they would all congregate and have a general

frolic in accordance with Negro standards of a good time. In the later years of slavery the towns had established sufficient control of the Negroes gathering in their jurisdiction so that the drink evil was more or less mitigated. The fear of the law was a great incentive to their proper conduct on those rare occasions when they had a whole day in town to themselves without any tasks to perform for their master. As Rothert has well observed, however, the slave sometimes did have to care for his drunken owner and take him home. To the student acquainted with Kentucky history and social conditions such a brief statement suggests a wealth of material on the local type of slavery.

That ardent abolitionist from across the sea, James Silk Buckingham, has recorded a characteristic picture of the Kentucky slave at rest and in gala attire:

“We remained at Henderson the greater part of the day, it being a holiday with the negro slaves on the estate, so that it was difficult to get the requisite number of hands to complete the landing in a short time. Some of the female slaves were very gaily dressed, and many of them in good taste, with white muslin gowns, blue and pink waists, ribbons, silk handkerchiefs or scarfs, straw bonnets, and a reticule for the pocket handkerchief held on the arm. In talking with them, and inquiring the reason of the holiday, one said she believed it was Easter, another said it was Whitsuntide, and a third thought it was midsummer. They were chiefly the household slaves, who are always better treated, better dressed, and more indulgent than the field laborers. The men who were employed in landing the cargo appeared to be more cheerful in their general aspect and behavior than the field slaves I have seen at the South: and there is no doubt that in Kentucky their condition is very much better than in most other states, their work lighter, their food and clothing better, and their treatment more kind and humane.”¹¹

Legally, there were no marriages among the slaves. They were not citizens, but property. The men were urged to take their “wives” from among the women of the home estate, if a suitable companion could be found. But if not

¹¹ Buckingham, *Eastern and Western States*, Vol. 3: 41.

they eventually secured one in the neighborhood and the master usually allowed the slave a pass to see his wife every night in the week. While such a cohabitation was not exactly a legal affair most of them were held as sacred as those more legalized unions among the master class. Many masters paid an unconscious tribute to these unions. When there ran away a slave who had a wife living in the neighborhood or even at a great distance the owner would make mention of the exact locality of the wife in order that people in that region would be on the lookout for the fugitive. J. C. Bucklin in 1824 did not give much of a description of David, who had left his master, but he very carefully stated that he had a "wife and children at William Shirley's, about 16 miles from this place, on the Westport Road."¹² An owner in Fayette county after giving a detailed picture of "Arthur" added that "Capt. Peter Poindexter, eight miles from Lexington owns his wife, and I expect that he will be in that neighborhood."¹³ A more extreme example was that of "Dick," a Lexington slave who ran away to New Orleans, the owner thought, because "he has a wife living in that city, and he has been heard to say frequently that he was determined to go to New Orleans."¹⁴ Such cases as this were the logical consequence of the slavery system. They existed in Kentucky just as in any other slave State, but they were few compared with those slaves unions that were never broken.

It was to the economic as well as humanitarian interest of the master to have sympathy with the peace and contentment of his servant. Thus most of them took care that the family relationships of the slaves should not be disturbed. Oftentimes when the owner of either a husband or a wife was on the point of moving out of the county the masters would get together and make a trade which would obviate any disruption of the slave family. Under such conditions a man would part with a servant who otherwise could not

¹² *Louisville Public Advertiser*, August 11, 1824.

¹³ *Lexington Gazette*, June 14, 1803.

¹⁴ *Lexington Intelligencer*, July 7, 1838.

have been bought at any price. Such a situation was possible only in a State where the personal interest in a slave and his welfare took precedence over merely his economic value to the owner.¹⁵

Charles Stewart in *My Life as a Slave* has given us his own experiences of home life and marriage among slaves in Kentucky. He lived in Paris and was engaged in handling race horses. Soon after coming from Virginia to Kentucky he fell in love with a young mulatto girl, who was the property of a Mr. Robertson, who gave his consent to their marriage, promising never to part them by his own free will. In his own dialect Stewart dictated his story. "So I married her, an' tuk her to a little house I had fixed up near de stables, an' she clear-starched an' sewed an' 'broidered an' wukked wid de hand-loom, an' made more pretty things dan I could count. She paid her marster, en course, reg'lar, so much a month fur her hire. but, lor', she neber touched her airnin's fur dat. I had plenty of money to hire as many wives as I wanted, but dis one was de onliest one I eber did want, an' so it was easy enough." After two years his wife became very sick and died and the grief of the Negro man was touching in the extreme. "She was jes' as fond o' me as I was of her, an' it did 'pear hard luck to lose her jes' as I was makin' up my mind to buy her out and out, only en course, it was a fortunate thing I hadn't bought her, as long as she had to die, kase den I would ha' lost her an' de money too. Arter she was in de ground it jes' 'peared to me like eberything was different; I tuk a dislikement to Paris, an' I didn't feel like goin' home to Virginny." His master agreed to let him go wherever he liked if he could find an owner to suit him and finally Stewart went to Louisiana after an interview with Senator Porter of that State. He was to stay six months to see how he liked it and then if agreeable he was to stay there. He must have been a rather unusual Negro, for his selling price was finally fixed at \$3,500.¹⁶

¹⁵ Perrin (Bourbon County), p. 60.

¹⁶ *Harper's Magazine*, October, 1884, pp. 730-738.

But life among the slaves of Kentucky was not by any means a path of roses. Many anti-slavery leaders attested to this fact. The most trustworthy statement that was ever made on this general subject was that embodied in the pamphlet of the Presbyterian Synod of Kentucky in 1835 advocating gradual emancipation. The following brief extracts are most significant:

“The system produces general licentiousness among the slaves. Marriage, as a civil ordinance, they cannot enjoy. Until slavery waxeth old, and tendeth to decay, there cannot be any legal recognition of the marriage rite, or the enforcement of its consequent duties. For, all the regulations on this subject would limit the master’s absolute right of property in the slaves. In his disposal of them he could no longer be at liberty to consult merely his own interest . . . their present quasi-marriages are continually voided (at the master’s pleasure). . . . They are in this way brought to consider their matrimonial alliances as things not binding, and act accordingly. We are then assured by the most unquestionable testimony that licentiousness is the necessary result of our system.

One would infer from this observation of apparently fair-minded men that slave unions were not very sacred affairs and that any disruption of them would amount to little, but in the same document these Presbyterian preachers give a back-handed compliment to the stability, at least in temperament, of the average slave marriage.

“Brothers and sisters, parents and children, husbands and wives, are torn asunder and permitted to see each other no more. These acts are daily occurring in the midst of us. The shrieks and agony often witnessed on such occasions proclaim with a trumpet tongue, the iniquity of our system. There is not a neighborhood where these heartrending scenes are not displayed; there is not a village or road that does not behold the sad procession of manacled outcasts, whose mournful countenances tell that they are exiled by force, from all that their hearts hold dear.”

It is strange that these two opposing views should appear in the same pamphlet, but nevertheless they are both undoubtedly true pictures of slavery in Kentucky. It is

merely a question as to which of the two represented the majority of cases. Licentiousness there was, but it was certainly very much less among the slaves of Kentucky than in the far South. Slave unions were treated with more respect by the masters of Kentucky than in most slave States. As has been pointed out in a previous chapter, the very fact that the few instances of inhuman separation of slave families produced such a storm of public disapproval shows that it was not a very general practice in the State.

From the legal standpoint the slave had no rights or privileges in the attainment of even a meager education. On the other hand Kentucky was the only slave State, with the exception of Maryland and Tennessee, which never passed any laws forbidding the instruction of slaves. Thus no penalty was attached to Negro education, neither was any encouragement given. Those slaves who learned to read were the servants of masters who because of conscientious scruples taught them how to read the Bible. Few slaves ever learned to write, for they might then be tempted to serve as unofficial dispensers of passes in the owner's name. The general objection to any reasonable amount of education was the tendency towards dissatisfaction with the servile status thereby aroused. If the slave could learn to read well, it was feared that he would become a victim of the "filthy" abolitionist literature, which through the resultant effect upon the Negroes would have produced no end of trouble to the slavery system. Hence, for the most part, the Kentucky slave remained in blissful ignorance, and well for him as such and the institution he represented that his learning was no greater.¹⁷

Out of a collection of some three hundred and fifty runaway slave advertisements concerning Kentucky slaves the author has found 71 cases in which mention was made that the Negro could read and 37 instances in which he could write. The latter cases are all included in the former

¹⁷ Clarke, *Sufferings of Lewis and Milton Clarke*, p. 104.

Rothert, *History of Muhlenburg County*, p. 104.

Perrin (Bourbon County), p. 60.

classification also. On that basis a little over ten per cent of the slaves could read and write and about twenty per cent could read but were unable to write. There are, however, two strong reasons against any such general conclusion. In the first place, the more a slave learned the more liable he was to become dissatisfied and run away; and secondly, the careful mention which was made in advertisements of the Negro's ability to read or write would tend to show that it was more or less an unusual accomplishment.

Taking up the question of the education of slaves in the State, the Presbyterian Synod of Kentucky said in 1834 that "Slavery dooms thousands of human beings to hopeless ignorance . . . if slaves are educated it must involve some outlay upon the part of the master. . . . It is inconsistent with our knowledge of human nature to suppose that he will do this for them. The present state of instruction among this race remains exactly what we might . . . naturally anticipate. Throughout the whole land (State), so far as we can learn, there is but one school in which, during the week, slaves can be taught. The light of three or four Sabbath schools is seen glimmering through the darkness that covers the black population of the whole State. Here and there a family is found where humanity and religion impel the master, mistress or children to the laborious task of private instruction."¹⁸

It should be added in this connection that the same statement would hold true of the free Negro population of Kentucky at the same period. Until long after the Civil War there was no provision made for their education other than that of individual enterprise. The public education of the whites was not on a plane comparable to that of any of the Northern States until after the reconstruction period, and even then Kentucky lagged behind for years.

The church and its influence for the betterment of society under the slavery system was more effective than the school. The chief religious paper of the State was the *Presbyterian Herald* and one of its most persistent pleas was that the

¹⁸ *Address to the People of Kentucky*, p. 8.

proper religious instruction of the Negro servant class would answer most of the objections to the institution. "The most formidable weapon in the hands of the abolitionist," said the editor, "is the indifference which he charges to the Christian slaveholder toward the spiritual welfare of the slave under his control. Disarm him of this weapon, and you have done much to render him powerless."¹⁹

Religious instruction in families of Christian habits of life, however, was not so sadly neglected. The household servants were usually brought to the house during the family worship and the scriptures were not merely read to them but explained. No restrictions were ever placed on church attendance either by law or by custom. Many slaves united with the white churches and throughout the State today one may find any number of old churches whose records still show several of these Negroes on the church rolls. Most of them are very kindly remembered for their good moral character and abiding faith. Such a condition was not so prevalent among the agricultural slaves, except where they were few in numbers. Even here, however, the religious instinct was not suppressed in any manner. Their religion at the most was a very crude imitation of the worship of their masters. They were not confined to the rear seats of the white churches for their attendance at Sunday services. They could hold their own meetings in schoolhouses and vacant church edifices.

It was these distinctively slave gatherings that gave rise to one of the most interesting of all Negro characters—the preacher. Tradition and story have related many a charming picture of this quaint representative of Negro faith, but unfortunately few life stories of any of them have ever been preserved. In nearly all the county histories we find mention of several of these Negro exhorters who seemingly were men of some degree of intelligence. The majority of them were apparently themselves slaves, subject to the will

¹⁹ *Presbyterian Herald*, April 16, 1846. See especially the editorial and articles in the issue of October 4, 1849.

of their masters, and while the restrictions on their movements were very lax, they seldom if ever spoke beyond the borders of their home county.²⁰

One of the famous Negro preachers of the early nineteenth-century South was Josiah Henson. From 1825 to 1828 he was a slave in Daviess County, Kentucky, and in his autobiography he has given us a picture of the circumstances under which he became a slave preacher. "In Kentucky," said he, "the opportunities of attending on the preaching of whites, as well as of blacks, were more numerous; and partly attended by them, and the campmeetings which occurred from time to time, and partly from studying carefully my own heart, and observing the developments of character around me, in all the stations of life which I could watch, I became better acquainted with those religious feelings which are deeply implanted in the breast of every human being, and learnt by practice how best to arouse them, and keep them excited, and in general to produce some good religious impressions on the ignorant and thoughtless community by which I was surrounded. . . . I cannot but derive some satisfaction, too, from the proofs I have had that my services have been acceptable to those to whom they have been rendered. In the course of the three years from 1825 to 1828 I availed myself of all the opportunities of improvement which occurred and was admitted as a preacher by a conference of the Methodist Episcopal Church."²¹

In Ballard County there was another interesting exhorter. Advertising for his Negro Jack who had run away in 1850, C. B. Young pointed out that although he was a slave and the property of the "subscriber" he was a well-educated Baptist preacher and in the pursuit of his vocation he was well known by "many of the citizens of Paducah, McCracken County, and also by citizens of Hickman and Fulton Counties, and is thought by many to be a free man."²²

²⁰ Rothert, *History of Muhlenburg County*, p. 340.

²¹ Henson, *Life of Josiah Henson*, pp. 26-27.

²² *Louisville Weekly Journal*, March 27, 1850.

The only credentials which the Negro preacher carried, according to his own testimony, came directly from the Lord. His education was only of a sufficient character to enable him to read the Bible and line out the words of the hymns. His creed was never the creation of any school of theology. It was usually an original interpretation of supernatural phenomena varying widely even in one individual from time to time. Convinced of his supernatural calling, he felt inferior to no one in the power of exegesis. As long as he held his balance and remained on terra firma his followers believed in him as he believed in himself. But as Lucius Little has well said: "Once in a while a colored preacher lost his influence with his congregation by drinking too deeply of the Pierian spring. Too much learning raised him out of their orbit. They fell on stony ground." Strange, yet how true, that the more ignorant a slave minister was, the more power of influence for good he had among his fellow human beings.²³

James Lane Allen has given us a splendid little sketch of three of these native characters whom he evidently knew in his younger days:

"One of these negro preachers was allowed by his master to fill a distant appointment. Belated once, and returning home after the hour forbidden for slaves to be abroad, he was caught by the patrol and cruelly whipped. As the blows fell, his words were, "Jesus Christ suffered for righteousness' sake; so kin I."

Another was recommended for deacon's orders and actually ordained. When liberty came, he refused to be free, and continued to work in his master's family until his death. With considerable knowledge of the Bible and a fluent tongue, he would nevertheless sometimes grow confused while preaching and lose his train of thought. At these embarrassing junctures it was his wont suddenly to call out at the top of his voice, "Saul, Saul. Why persecutest thou me?" The effect upon his hearers was electrifying:—as none but a very highly favored being could be thought worthy of enjoying this persecution. He thus converted his loss of mind into spiritual reputation.

²³ Little, L. P., *Ben Hardin, his Times and Contemporaries*, pp. 544-545.

A third named Peter Cotton, united the vocations of exhorter and wood-chopper. He united them literally, for one moment Peter might be seen standing on his log chopping away, and the next kneeling down beside it praying. He got his mistress to make him a long jeans coat and on the ample tails of it to embroider, by his direction, sundry texts of scripture, such as "Come unto Me, all ye that are heavy laden." Thus literally clothed with righteousness, Peter went from cabin to cabin, preaching the Word. Well for him if that other Peter could have seen him."²⁴

One of the dominant features of such a type of religion among the Negroes was the resulting prevalence of superstition. It almost seems that in their ignorance they adopted every form of supernatural fear that was ever known among our ancestors. But if it had ended there the matter would not have been so important socially. In their constant association with white children they brought their fears of "ghost-hauntings" and other fantastic ideas into the minds of the very young. The peculiarity of the Negro slave as compared with the other superstitious races was his own sinister imaginative productions. They related none of the valuable tales of ancient mythology, but rather did they fill the earth with goblins, witches and ghosts—the result of their own dreams and fancies.²⁵

The many stories of this sort which a "mammy" related to a child a half century ago can be reproduced by the old man of the twentieth century and the effect of the old ideas of magic is still with him. The prevalence of superstitious ideas in Kentucky today might easily be traced back to the associations of slavery times. But such a weakness may not always have done harm; not every child was so influenced. The natural play of the Negro instinct was worth much to his peace and contentment. Here again Shaler has given us a rather unique observation from his own experience:

²⁴ Allen, James Lane, *Blue Grass Region of Kentucky*, pp. 77-78.

²⁵ Robertson's *Autobiography*, pp. 124-125.

“The only movements of the spirit in the religious field that I can remember came from two sources: my mother’s singing. . . . The other spiritual influence came from the negroes. A number of them used to meet at night to talk religion beneath a shed which lay open to the northern sky. One of them, well named “Old Daniel,” had a fervid imagination and excellent descriptive powers. He would picture the coming of the great angel as if it were before his eyes; the path of light shooting down from about the North star,—the majesty of his train. Then the rolling of the heavens “like a scroll”—I did not know what this process was like, but it seemed vaguely fine—and then the burning up of the world. I was always greatly moved when hearing these exhortations which must indeed have been rather wonderful things, but they made no permanent impression upon me. In fact I regarded them as ‘nigger talk.’ ”²⁶

The patriarchal character of slavery as it existed in Kentucky is best shown in the relationship which generally existed between the master and his slave. The pioneers who brought their slaves with them from Virginia encountered many dangers not only in crossing the mountains but after they had settled in the new State. Many were the times when the slave proved himself a hero and even encountered death in order to protect the master and his family. Tradition and history have handed down many of these stories to us, but the most famous of all, as well as the best authenticated, was the experience of Monk Estill, who was the slave of Colonel James Estill, of Madison County. In a struggle with the Indians in 1782 in the region where Mount Sterling is now located Monk cried out to his master in the thick of the fray: “Don’t give way, Marse Jim; there’s only twenty-five of the Injuns and you can whip them.” Colonel Estill was killed and Monk was taken prisoner but he soon managed to escape, and after joining his comrades carried one of the wounded men twenty-five miles. The young master was so grateful to Monk that he gave him his freedom and kept him in the best of comfort the rest of his life. This was the experi-

²⁶ Shaler’s *Autobiography*, pp. 57–58.

ence of what is supposed to have been the first slave in the district of Kentucky.²⁷

Not only was the slave on a par with his master when it came to facing dangers but even in the field of sports he had as pleasant an outing as his overlord. While the one may have spent the day in fox hunting or deer driving, when nightfall came the Negro was apt to emerge from his quarters followed by his faithful dog in search of possum or coon. While the master may have enjoyed a feast of venison at his table the Negro was just as well satisfied with the less valuable but savory game that graced his own meal.

With the exception of the house servants most of the slaves of the State were employed in agricultural pursuits, but, as we have seen elsewhere, even here they were not to be found in large droves as in the States of the South. There were only a few big landed estates which were cultivated by the owners under their own supervision and in the large majority of cases the field slaves worked side by side with the whites. Often an owner's circumstances compelled him to labor in the fields with his slaves and when doing so he rarely demanded more of them than he did himself. Such a condition was not only true in the early days when there were few slaves but it extended throughout the slavery era.²⁸ The stories of the mildness of the institution in Kentucky which reached the North were little accredited by the radical element, which could never see any virtue in servile labor. Perhaps the most zealous abolitionist who visited the State was J. W. Buckingham, who wrote in 1840 that the "condition of the Negroes, as to food, clothing, and light labor struck me as being better in Kentucky than in any other State."²⁹ While traveling in the heart of the slave section of the State between Frankfort and Louisville he saw many instances of black and white laborers, slave and free, working side by side in the same field.³⁰

²⁷ Collins, *History of Kentucky*, Vol. 2, pp. 634-636.

²⁸ Cotterill, *History of Pioneer Kentucky*, p. 245.

Little, L. P., *Ben Hardin, his Times and Contemporaries*, p. 543.

²⁹ Buckingham, *Eastern and Western States*, Vol. 3: 7-8.

³⁰ *Op. cit.*, Vol. 3: 8.

The relation between the owner and the household type of slave was of a more intimate nature and the master was careful to pick only the best of the Negroes. In such an environment we see the picture of the Kentucky gentleman of song and story, and the Negro in all the best that tradition has related of him. The latter became identified with the family of the master in sentiment and feeling. Under ordinary circumstances he had nothing to worry about, and with no cares pressing upon him, he became as happy as any Negro ever was. If the crops failed, or the owner became bankrupt he had none of the anxiety of his master, although he may have displayed the greatest sympathy with the existing condition. It was his duty to give only his labor to his master and in return he was sheltered, clothed and supported when sick or too old to labor; and at last when his earthly toils were over, he was given a Christian burial. The humble affection which the slave had for his master in conjunction with the extreme confidence which he held for the outcome of all pecuniary troubles is shown by instances in the life history of every slaveholding family. No matter what might be the circumstances and conditions of the estate the slave could go on in his daily work without any fears or cares, except for the one great cloud that in the event of a disruption of the estate through a legal process he might be sold to satisfy his master's creditors.

From our present viewpoint the treatment may have been at times rather harsh but we must be careful to judge it from the general standard of those times. It has been pointed out that it would bear "favorable comparison with the treatment of the white sailors in the British and American navies of the same period."³¹ The slave code allowed a much severer policy than was generally carried out, for it must be considered that the law was made to fit the worst cases, where such action was justifiable. Often the attitude of the master appeared harsher than it was really meant to be. It may have been merely a display of authority on his

³¹ Little, L. P., *Ben Hardin, his Times and Contemporaries*, pp. 541-2.

part when he reprimanded a servant who had really committed only a minor indiscretion.³²

There were naturally other scenes in which the treatment of slaves would not appear in such a favorable light. The chronically bad master, however, was at all times and under all circumstances under the ban of a just public sentiment. Should, by chance, a slave under such a one secure vengeance on his heartless overlord, the general feeling of the community was on the side of the slave. Strange to say, it was very often true that persons who had known little concerning slavery until they came to Kentucky, as soon as they had accumulated a sufficient surplus, became the owners of slaves and proved to be the hardest taskmasters.³³ Much light is thrown on this situation by Shaler.

³² A typical example of this has been related by one of Kentucky's distinguished sons:

"In the households where I was intimate the slaves were about on the same footing as the other members of the family; they were subjected to sudden explosions of the master's temper much as were his children. I well remember a frequent scene in my grandfather's house, where it was the custom that I should go every Sunday afternoon for counsel and instruction. They were at first somewhat fearsome occasions for a little lad thus to be alone with an aged and stately grandfather. I soon won his interest, in some measure by my fears, and came greatly to enjoy the intercourse, for he knew how to talk to a boy, and we became, in a way, boys together, in our sense of the funny side of things. It was the custom, too, for him to divide the session of three or four hours with a brief nap taken in his chair. . . .

"As his rooms were near the negro quarter he would make ready for his siesta by sending forth the servantman who waited on him, bidding him tell the people that they were to keep quiet during the performance. I can see him now with his pig-tail hanging down behind the back of the easy chair and a handkerchief over his face as he courted slumber. For a minute or two it would be still, then the hidden varlets would be as noisy as before. Then the pig-tail would begin to twitch, and he would mutter: 'Jim, tell those people they *must* be still.' Again a minute of quiet, and once more the jabbering and shouting. Now with a leap he would clutch his long walking-stick and charge the crowd in the quarter, laying about him with amazing nimbleness, until all the offenders were run to their holes. Back he would come from his excursion and settle himself to sleep. I could see that his rage was merely on the surface and that he had used it for a corrective, for he evidently took care not to hurt anyone." Shaler's *Autobiography*, p. 37.

³³ Little, L. P., *Ben Hardin, his Times and Contemporaries*, p. 543.

“There is a common opinion,” said he, “that the slaves of the Southern households were subjected in various ways to brutal treatment. Such, in my experience, was not the case. Though the custom of using the whip on white children was common enough, I never saw a negro deliberately punished in that way until 1862, when, in military service, I stayed at night at the house of a friend. This old man, long a widower, had recently married a woman from the state of Maine, who had been the governess of his children. In the early morning I heard a tumult in the back yard, and on looking out saw a negro man, his arms tied up to a limb of a tree, while the vigorous matron was administering on his back with a cowhide whip. At breakfast I learned that the man had well deserved the flogging, but it struck me as curious that in the only instance of the kind that I had known the punishment was from the hands of a Northern woman.”³⁴ Shaler lived in Campbell County in the extreme northern section of the State, where there were only a few slaves and the treatment was milder perhaps than in any other part of Kentucky.

The general attitude is best shown by the two laws passed in 1816 and 1830. It had always been considered that the slave, being the property of his owner, it remained for him and for him alone to serve as the disciplinarian of the Negro. The increasing abuse of this right by outsiders led to a law in 1815 giving the owners a power of action against persons abusing their slaves, and in February, 1816, the provisions were made more specific. If any person should “whip, strike or otherwise abuse the slave of another” without the owner’s consent, the latter could recover damages in any circuit court in the commonwealth—regardless of whether or not the punishment so inflicted injured the ability of the slave to render service to his master.³⁵

Some of the contemporary comment would seem to imply that the theory of the law was based on the property con-

³⁴ Shaler’s *Autobiography*, pp. 36–37.

³⁵ *Littell’s Laws*, Vol. 5: 578–579.

ception of the slave and not upon humanitarian motives. In other words, it was perfectly proper to punish any slave as one saw fit as long as one did not interfere with the property value of the servant. Fearon, while visiting the State in 1818, came across an example of this kind and after telling the story of the punishment makes this comment: "It appears that this boy (the one who had been whipped) was the property of a regular slave-dealer, who was then absent at Natchez with a cargo. Mr. Lawe's humanity fell lamentably in my estimation when he stated, that 'whipping niggers, if they were his own, was perfectly right, and they perhaps deserved it; but what made him mad was, that the boy was left under his care by a friend, and he did not like to have a friend's property injured.'"³⁶ The conduct observed by Fearon was clearly in violation of the law of 1816, unless the absent master had given over his rights in full to the man Lawe, who administered the punishment. It may have been the spirit of the laws of Kentucky that Lawe had in mind when he spoke to Fearon. On the other hand, it could easily be given the interpretation which Fearon made. The trend of public opinion was more and more in the interest of justice for the slave as the law of 1830 shows:

If any owner of a slave shall treat such slave cruelly, so as in the opinion of the jury, to endanger the life or limb of such slave, or shall not supply his slave with sufficient food or raiment, it shall and may be lawful for any person acquainted with the fact or facts, to state and set forth in a petition to the Circuit Court, the facts, or any of them aforesaid, of which the defendant hath been guilty, and pray that such slave or slaves may be taken from the possession of the owner, and sold for the benefit of such owner, agreeably to the 7th article of the Constitution.³⁷

In accordance with this law, if a jury of twelve men were convinced that a master treated his slave cruelly, or failed to provide him the proper food and clothing, the

³⁶ Fearon, *Sketches in America*, p. 241.

³⁷ Session Laws, 1830, p. 174.

slave would be sold into better hands and the master would have to pay the costs of the suit. Most assuredly there was no place in the eyes of the law for an inhuman slaveholder. Not only was such a one a criminal in the eyes of the courts but he was socially ostracized in the ordinary circles of the community.³⁸

Two instances of this kind in Lexington will show the public feeling. In 1837 Mrs. Turner, the wife of a wealthy Lexington judge, was accused of inhuman cruelty. Her own husband was the chief complainant, stating that "that woman has been the cause of the death of six of my servants by her severities." The trial caused intense excitement among the people of Lexington, more so perhaps for the reason that the defendant was a member of a prominent Boston family and her husband was a former judge of the criminal court in New Orleans. The court proceedings were brought to an end when the woman was pronounced insane and placed in the asylum.³⁹

Early in 1839 a Mr. and Mrs. Maxwell were tried in Lexington for the inhuman treatment of a female slave servant. The indignation of the citizens of Lexington is apparent from the publicity that was given to the proceedings in the local papers. A Dr. Constant testified that he saw Mrs. Maxwell whipping the Negro severely, without being particular whether she struck her in the face or not. The lacerations had brought blood in considerable quantities for he had found some on the steps. He had noticed previously that the slave had been thinly clad and was barefooted even in cold weather. During the previous months he had noticed several scars on her and at one time she had had one eye tied up for a week. A Mr. Winters was once passing along the street and saw one of the boys whipping the slave girl with a cowhide. Whenever she turned her face to him he would hit her across the face either with the butt end or small end of the whip to make her turn around square to the lash, in order that he might get a fair blow at her. A Mr.

³⁸ Blanchard and Rice, *Debate on Slavery*, p. 135.

³⁹ *American Slavery As It Is*, p. 87.

Say had noticed several wounds on her person, chiefly bruises. Capt. Porter, the keeper of the workhouse, thought the injuries on Milly's person were very bad, some of them appeared to be burns, and some were bruises or stripes from a cowhide whip. The trial was held amidst a turmoil of resentment against the defendants and there was apparently no one in sympathy with them whatever.⁴⁰

Any discussion of the relationships in slavery times would be incomplete without adding the characterization of the Kentucky master as drawn by a celebrated author who was born in the heart of the bluegrass and was thoroughly familiar with the type:

"The good in nature is irrepressible. Slavery, evil as it was, when looked at from the remoteness of human history as it is to be, will be judged an institution that gave development to a certain noble type of character.

"Along with other social forces peculiar to the age, it produced in Kentucky a kind of farmer the like of which will never appear again. He had the aristocratic virtues: highest notions of personal liberty and personal honor, a fine especial scorn of anything that was little, mean, cowardly. As an agriculturist he was not driving or merciless or grasping; the rapid amassing of wealth was not among his passions, the contention of splendid living not among his thorns. To a certain carelessness of riches he added a certain profuseness of expenditure; and indulgent towards his own pleasures, towards others, his equals or dependents, he bore himself with a spirit of kindness and magnanimity. Intolerant of tyranny, he was no tyrant. To say of such a man, as Jefferson said of every slave-holder, that he lived in the perpetual exercise of the most boisterous passions and unremitting despotism, and in the exaction of the most degrading submission, was to pronounce judgment hasty and unfair.

"Rather did Mrs. Stowe, while not blind to his faults, discern his virtues when she made him, embarrassed by death, exclaim: "If anybody had said to me that I should sell Tom down south to one of those rascally traders, I should have said, 'Is thy servant a dog that he should do this thing?'"⁴¹

⁴⁰ *Lexington Reporter*, January 15, 1839.

⁴¹ Allen, James Lane, *Blue Grass Region of Kentucky*, pp. 67-68.